

Draft I – February 23, 2006
Edited March 17, 2006

MEMORANDUM OF UNDERSTANDING

Between Kansas Health Policy Authority and Department of Administration

BACKGROUND

Pursuant to K.S.A. 2005 Supp. 75-7401 *et seq.*, the Kansas Health Policy Authority (HPA) will take over responsibilities of the Division of Health Policy and Finance (HPF) on July 1, 2006.

As part of the Department of Administration (DoA), HPF has received certain operational support services from DoA since July 1, 2005, including information technology, personnel, and some legal services.

OPERATIONAL SUPPORT TRANSITION SERVICES

DoA will provide certain operational support services to HPA from July 1, 2006 to June 30, 2007, including personnel and some legal support services. Such services will approximately mirror those currently provided by DoA to HPF. It is recognized that HPA may use its own staff and or contract for a portion of its legal needs.

No new funding will transfer from HPA to DoA for these services.

Information technology services will be addressed in a separate Service Level Agreement to be negotiated between HPA and DISC.

GUIDING PRINCIPLES

DoA and HPA will work cooperatively regarding provision and use of the operational support transition services provided for above.

These services will be provided in order to facilitate a timely and efficient transition from HPF to HPA, and to allow HPA to focus on policy and program issues.

Because the HPA is a new agency, continuing the operational support services DoA had provided HPF will allow it to save resources during the transition period, and concentrate its efforts on substantive policy work.

It is recognized that the provisions of Title 42, Section 431.10, prohibit HPA from delegating to another agency any administrative discretion, policy-making authority, or

approval of any of its decisions. Nothing in this document is intended to confer any such authority from HPA to DoA.

Either HPA or DoA can terminate this arrangement upon thirty days' written notice; however, both HPA and DoA will attempt to resolve any issues amicably, with the common understanding that each entity will be working in the best interest of the State of Kansas.

We hereby agree to operate pursuant to the understanding provided for above.

Dr. Robert Day, Executive Director
Kansas Health Policy Authority

Date

Duane Goossen, Secretary
Kansas Department of Administration

Date